

United States Senate
WASHINGTON, DC 20510

September 6, 2006

Via Electronic Transmission

The Honorable Robert S. Mueller
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, N.W.
Washington, D.C. 20535

Dear Director Mueller,

The August 29, 2006, edition of the Washington Post contains an article on the FBI's new Investigative Data Warehouse (IDW), which is described in the article as a database containing several hundred million records culled from more than 50 government agency sources. The article goes on to state that on the previous day, August 28, 2006, FBI officials provided members of the news media with a demonstration of IDW's system capabilities.

The Washington Post article indicates that the principal purpose of the news media demonstration of IDW was to publicly tout the system as a powerful new tool for the FBI in your counterterrorism efforts. In the article, the reporter quoted statements made by several high-ranking officials of the FBI's Counterterrorism Division regarding the use of the system to thwart terrorists. The article also states that during the demonstration, FBI officials queried the name of infamous terrorist Mohammad Atta through the IDW databases.

I am, of course, very pleased that your agency is providing agents with tools such as IDW to aid them in their efforts to identify terrorists and to prevent future terrorist attacks on our nation. I wholeheartedly commend you and your staff on your efforts to deploy IDW and other advanced computer technologies to protect our nation from terrorists.

It has come to my attention, however, that there may be an issue related to the development of IDW that should give Congress cause for concern. That issue relates to what the development of the system seems to indicate regarding the current status of information sharing between the FBI and other law enforcement agencies.

I was advised by my staff that some months ago they attended a demonstration of IDW. My staff reported to me that during this demonstration FBI officials briefly showed them a slide containing a list of the various sources for the records that are contained in IDW or are accessible through IDW. It was reported to me further that

during the demonstration, my staff determined that the list of records contained in or accessible through IDW seemed to indicate that the FBI had not yet secured the cooperation of other key law enforcement agencies in developing IDW as an investigative tool. In reviewing the list, they discovered that not all law enforcement agencies provided the FBI with access, through IDW, to the information contained in their investigative reports and records.

For example, the records contained in or accessible through IDW indicated that the records accessible through an IDW query did not include those records contained in the databases of several other major federal law enforcement agencies who have jurisdiction over federal crimes such as drug trafficking and possession of explosives. Indeed, both of these crimes are secondary or preliminary crimes that are likely to be committed by terrorists as they prepare to commit their acts of terrorism or as they seek to raise the funds necessary to pay for those acts. If this is truly the case, I consider this situation to be completely unacceptable. The information developed by federal agents engaged in conducting criminal investigations does not belong to any one agency but rather becomes the property of the citizens of the United States and in every circumstance is to be used for their benefit.

It should certainly go without saying that in the aftermath of the tragic events of September 11, 2001, our nation cannot afford for our law enforcement agencies to continue to refuse to share information with one another. Hoarding of information by federal law enforcement agencies can no longer be tolerated. For that reason, I request that you provide me with a list of all of the sources of the records that are contained in or are accessible through IDW. I request further that you provide me with copies of all correspondence and other written communications in which officials of other law enforcement agencies have expressed an unwillingness to provide the FBI with access to the information contained in their records so that the information can be accessed through IDW.

Sincerely,

A handwritten signature in blue ink that reads "Chuck Grassley". The signature is written in a cursive, flowing style.

Charles E. Grassley
United States Senator